

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)
)
VS.) CR. NO. 3:08-615
) COLUMBIA, SC
TIMOTHY MCQUEEN, TONY B) NOVEMBER 18, 2009
POUGH, JOSEPH B BRUNSON,)
)
DEFENDANTS.)

-----)

BEFORE THE HONORABLE MARGARET B. SEYMOUR
UNITED STATES DISTRICT COURT JUDGE
TESTIMONY OF DAWN BRACKETT

A P P E A R A N C E S:

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DAWN BRACKETT

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1 THE COURT: CALL YOUR NEXT WITNESS.

2 MR. MOORE: DAWN BRACKETT, YOUR HONOR.

3 DAWN BRACKETT, AFTER BEING DULY SWORN, TESTIFIED AS
4 FOLLOWS:

5 MR. MOORE: MAY I PROCEED, YOUR HONOR?

6 THE COURT: YOU MAY.

7 DIRECT EXAMINATION

8 BY MR. MOORE:

9 Q MS. BRACKET, I KNOW I'M TAKING YOU AWAY FROM SOMETHING
10 IMPORTANT TODAY. WHAT DO YOU DO FOR A LIVING?

11 A I TEACH FIFTH GRADE.

12 Q AND WHERE DO YOU TEACH FIFTH GRADE?

13 A FAIRFIELD COUNTY.

14 Q HOW LONG YOU BEEN TEACHING FIFTH GRADE?

15 A FOR A YEAR NOW.

16 Q OKAY. TELL US A LITTLE BIT ABOUT YOUR EDUCATIONAL
17 BACKGROUND. DID YOU GO BACK TO SCHOOL AND GET A MASTER'S
18 DEGREE IN TEACHING?

19 A YES, I DID.

20 Q WHEN DID YOU DO THAT, MS. BRACKETT?

21 A I BEGAN BELIEVE IT WAS 2003.

22 Q OKAY. AND ARE YOU FROM THE COLUMBIA AREA?

23 A I AM.

24 Q OKAY. AND AT SOME POINT DID YOU BEGIN WORKING AT THE
25 OFFICES OF THE CAPITAL CONSORTIUM GROUP BEFORE YOU COMPLETED

1 YOUR MASTER'S DEGREE?

2 A YES, I DID.

3 Q OKAY. AND WERE YOU IN SCHOOL AT THE TIME?

4 A YES, I WAS.

5 Q AND HOW DID YOU BECOME EMPLOYED WITH CAPITAL CONSORTIUM
6 GROUP?

7 A WELL, WHILE I WAS IN GRADUATE SCHOOL I WORKED AT THE UPS
8 STORE AND--

9 Q AND WHERE WAS THAT UPS STORE LOCATED?

10 A ON BROAD RIVER ROAD.

11 Q OKAY.

12 A AND I MET THE -- JOE, TONY, AND TIM WHILE I WAS WORKING
13 THERE.

14 Q AND HOW DID YOU MEET MR. BRUNSON, MR. MCQUEEN, AND MR.
15 POUGH WHILE YOU WERE WORKING THERE?

16 A I WAS DURING -- I WAS IN CUSTOMER SERVICE AT THE TIME.

17 Q YES, MA'AM.

18 A AND THEY WOULD COME IN. WE HAVE MAIL -- WELL, THEY HAD
19 MAILBOXES THERE AND THEY HAD A MAILBOX, SO THEY WOULD COME UP
20 AND PICK UP THEIR MAIL OR THEY WOULD DROP OFF -- OCCASIONALLY
21 THEY WOULD DROP OFF UPS PACKAGES.

22 Q DID THEY COME BY PRETTY FREQUENTLY OR DID PEOPLE FROM
23 THE CAPITAL CONSORTIUM GROUP COME TO THAT OFFICE REGULARLY TO
24 PICK UP MAIL AND OR OTHER THINGS FROM THEIR BOX?

25 A AT LEAST ONCE A WEEK. SOMETIMES MORE, SOMETIMES LESS,

1 BUT AT LEAST ONCE A WEEK.

2 Q OKAY. AND HOW IS IT THAT YOUR MEETING THEM LED TO YOUR
3 EMPLOYMENT WITH CAPITAL CONSORTIUM GROUP?

4 A WELL, OF COURSE, YOU KNOW, AS THEY WOULD COME IN -- WHEN
5 YOU HAVE A REGULAR TO COME IN, YOU FORM A, YOU KNOW, A TYPE
6 OF RELATIONSHIP, SO...

7 Q YOU GET TO KNOW THEM; RIGHT?

8 A YOU GET -- YEAH, YOU GET TO KNOW THEM. SO WE HAD
9 CONVERSATIONS AND EVENTUALLY I WAS ASKED TO JOIN THEIR
10 ORGANIZATION.

11 Q NOW, WAS THERE A REASON WHY YOU WERE A LITTLE
12 DISSATISFIED WITH UPS OR SOMETHING THAT WAS GOING ON IN UPS
13 THAT MADE IT DIFFICULT FOR YOU TO DO THAT AND GO TO SCHOOL?

14 A WELL, ONE OF THE -- THE MAIN REASON IS WHEN YOU WORK IN
15 CUSTOMER SERVICE, YOU ARE RELIED -- YOU RELY ON OTHER PEOPLE
16 TO COME IN WHEN THEY ARE SUPPOSED TO COME IN.

17 Q YES, MA'AM.

18 A AND CONSIDERING I -- THAT I HAD MY CLASSES IN THE
19 EVENING, I HAD TO WAIT QUITE OFTEN FOR THE COLLEGE KIDS WHO
20 CAME IN FROM USC TO RELIEVE ME SO THAT I COULD GO TO CLASS.
21 AND ON OCCASION THEY WOULD COME IN LATE WHICH WOULD MAKE ME
22 LATE FOR CLASS OR ON OCCASION I WOULDN'T BE ABLE TO GO
23 BECAUSE OF HOW LATE THEY -- THEY WOULD COME IN.

24 Q SO DID CCG OFFER YOU MAYBE THE ALLURE OF BETTER HOURS,
25 MORE REGULAR HOURS THAT WOULD ALLOW YOU TO GET TO SCHOOL ON

1 TIME?

2 A YES.

3 Q AND WHEN DID YOU START WORKING AT CCG IF YOU REMEMBER?

4 A IT WAS MARCH. I DON'T REMEMBER THE YEAR, BUT IT WAS THE
5 MARCH OF 2000 -- I DON'T REMEMBER.

6 Q WELL, HOW LONG DID YOU WORK THERE?

7 A I WORKED FROM MARCH UNTIL JULY OR AUGUST.

8 Q OKAY. SO IT WAS ALL IN ONE YEAR?

9 A UH-HUH.

10 Q CORRECT? SO THAT WOULD HAVE BEEN THE YEAR THAT THEY
11 WERE SHUT DOWN.

12 A YES.

13 Q IS THAT RIGHT?

14 A YES.

15 Q SO YOU STARTED WORK THERE IN MARCH OF 2007.

16 A UH-HUH.

17 Q WHAT DID YOU DO FOR THEM, MS. BRACKETT?

18 A I ANSWERED PHONES.

19 Q YES, MA'AM.

20 A AND I WAS THE PERSON WHO WOULD CALL THE INDIVIDUALS WHO
21 WERE IN THE PROGRAM WHEN IT WAS TIME FOR THEIR 30 DAY
22 PAY-OUT, I WOULD CALL AND I WOULD ASK THEM TO SEND THEIR
23 MORTGAGE INFORMATION SO THAT WE COULD GET THE CHECK TO THE
24 MORTGAGE COMPANY TO PAY OFF THEIR MORTGAGES OR THEIR CARS OR
25 WHATEVER THEY WERE IN THE PROGRAM FOR.

1 Q AND WHEN YOU WORKED THERE, WHERE WAS THE OFFICE LOCATED?

2 A IT WAS OFF OF TWO NOTCH ROAD.

3 Q OKAY. AND WAS THE ACTUAL ADDRESS HORSESHOE DRIVE?

4 A YES.

5 Q OKAY. AND HOW BIG OF A PLACE WAS IT? HOW MANY STORIES
6 DID THIS BUILDING HAVE?

7 A THERE WERE THREE.

8 Q OKAY. AND WHAT FLOOR WERE YOU ON?

9 A FIRST FLOOR.

10 Q OKAY. AND WHO WAS ON THE FIRST FLOOR? WHAT HAPPENED ON
11 THE FIRST FLOOR AND WHO WAS ON THE FIRST FLOOR?

12 A THE FIRST FLOOR HAD THE RECEPTION AREA. SO YOU COME IN
13 AND THERE WERE FOUR STATIONS. MINE WAS ONE OF THEM, AND
14 THERE WERE THREE OTHERS. THAT WAS IN THE MIDDLE. AND THEN
15 ON THE PERIMETERS YOU WOULD HAVE -- THERE WERE TWO OFFICES ON
16 THE RIGHT AND TWO OFFICES ON THE LEFT. AND THE THREE -- THE
17 THREE GENTLEMEN WERE ON THE FIRST FLOOR WITH US AS WELL AS
18 SAKIMA BEY.

19 Q OKAY. SO YOU SAID THAT Y'ALL WERE IN THE MIDDLE.

20 A UH-HUH.

21 Q AND ON THE PERIMETER THERE WERE FOUR OFFICES.

22 A CORRECT.

23 Q OKAY. AND THE FOUR OFFICES WOULD BE FOR MR. POUGH, MR.
24 BRUNSON, MR. MCQUEEN AND SAKIMA BEY.

25 A CORRECT.

1 Q OKAY. AND DO YOU SEE MR. BRUNSON, MR. POUGH AND MR.
2 MCQUEEN HERE TODAY?

3 A YES.

4 Q OKAY. TELL US -- COULD YOU POINT THEM OUT TO US AND
5 TELL US...

6 A THEY ARE HERE.

7 Q OKAY.

8 MR. MOORE: YOUR HONOR, I WOULD ASK THE RECORD
9 REFLECT SHE IDENTIFIED THE DEFENDANTS.

10 THE COURT: SO REFLECTED.

11 BY MR. SMALL:

12 Q AND WHAT DID MR. BEY DO IF YOU KNOW?

13 A HE WAS THE ATTORNEY.

14 Q OKAY. AND WAS IT REPRESENTED TO YOU THAT HE WAS IN FACT
15 A LICENSED ATTORNEY?

16 A I REALLY -- IT WASN'T ANYTHING WHERE THEY ACTUALLY SAID
17 THAT HE WAS THE LICENSED ATTORNEY. I WAS JUST UNDER, YOU
18 KNOW, ASSUMED THAT THAT'S WHAT HE WAS.

19 Q OKAY. AND DID HE MEET WITH THEM FREQUENTLY?

20 A HE WAS AT THE OFFICE MORE THAN THEY WERE, SO I CAN'T
21 REALLY TELL YOU HOW FREQUENT HE MET WITH THEM. I'M SURE HE
22 DID, BUT I COULDN'T TELL YOU THE FREQUENCY OF IT. THEY
23 DIDN'T REALLY MEET THAT OFTEN WHILE WE WERE IN THE BUILDING.
24 THEY DID MEET ON OCCASION.

25 Q OKAY. AND WHAT WAS ON THE SECOND FLOOR?

1 A THE SECOND FLOOR THERE WAS A -- TRYING TO REMEMBER.
2 THERE WAS A -- LIKE A BOARD ROOM KIND OF AND THERE WERE --
3 THERE WAS A MORTGAGE AND A REAL ESTATE INDIVIDUAL THERE.

4 Q DO YOU REMEMBER THEIR NAMES?

5 A NO, I DON'T.

6 Q OKAY.

7 A I'M SORRY.

8 Q THAT'S OKAY.

9 A CURTIS, AND I DON'T REMEMBER HER NAME. THERE WERE TWO
10 OF THEM.

11 Q SO THERE WAS A GENTLEMEN NAMED CURTIS.

12 A UH-HUH.

13 Q AND THEN THERE WAS SOMEONE ELSE?

14 A YES.

15 Q WAS IT A MAN OR WOMAN?

16 A A WOMAN.

17 Q OKAY. ALL RIGHT.

18 A AND THERE WAS THE ACCOUNTANT.

19 Q AND WAS THAT MR. JOHN BROWN?

20 A YES.

21 Q OKAY. AND--

22 A AND -- I'M SORRY.

23 Q WHO ELSE?

24 A THERE WAS DOLLY.

25 Q IS THAT DOLLY BULL?

1 A UH-HUH.

2 Q OKAY.

3 A AND MR. HARRISON.

4 Q OKAY. AND WHO WAS MR. HARRISON OR WHAT DID HE DO?

5 A I THINK HE DID SOMETHING AS WITH THE -- I DON'T KNOW
6 REALLY.

7 Q THAT'S FINE. WAS THERE ALSO A GENTLEMAN NAMED RODDY
8 EDGISTER HAD AN OFFICE UP THERE?

9 A YES.

10 Q DO YOU RECALL?

11 A UH-HUH.

12 Q AND WHAT SORT OF OFFICE DID HE HAVE?

13 A HE HAD -- HIS OFFICE WAS THE FIRST ONE THAT YOU WOULD
14 SEE AS YOU CAME IN. IT WAS JUST -- IT WAS JUST AN OFFICE.
15 IT WASN'T ANYTHING SPECIAL ABOUT IT.

16 Q OKAY. AND THEN WHAT WAS ON THE THIRD FLOOR?

17 A THIRD FLOOR WAS PROCESSING AND I COULD NOT TELL YOU WHAT
18 GOES ON THERE.

19 Q OKAY. AND YOU SAID YOU COULD NOT TELL US WHAT WENT ON
20 THERE?

21 A NO.

22 Q WHY NOT?

23 A WE WERE NOT ALLOWED TO GO TO THE THIRD FLOOR.

24 Q OKAY. WERE YOU TOLD WHY YOU WEREN'T ALLOWED TO GO TO
25 THE THIRD FLOOR?

1 A WELL, NO, BUT THERE WERE -- FROM -- OKAY. THE WOMEN ON
2 THE THIRD FLOOR DIDN'T LIKE THE WOMEN ON THE FIRST FLOOR VERY
3 MUCH.

4 Q OKAY.

5 A SO WE WERE JUST KIND OF KEPT APART SO THAT THERE WOULD
6 BE NO SITUATIONS.

7 Q DO YOU KNOW WHO WAS RUNNING THE OPERATION ON THE THIRD
8 FLOOR?

9 A I'M SORRY. REPEAT.

10 Q YOU KNOW WHO WAS RUNNING THE OPERATION ON THE THIRD
11 FLOOR?

12 A LISA MCQUEEN.

13 Q LISA MCQUEEN WAS RUNNING THAT OPERATION?

14 A UH-HUH.

15 Q AND WAS SHE MR. TIM MCQUEEN'S WIFE?

16 A YES.

17 Q OKAY. AND DID HER DAUGHTER JASSMINE WRIGHT WORK THERE?

18 A YES.

19 Q WHERE DID JASSMINE WORK?

20 A THIRD FLOOR.

21 Q OKAY. AND DID YOU KNOW A YOUNG LADY NAMED SHEILA
22 GIBSON?

23 A YES.

24 Q WHERE DID MS. GIBSON WORK?

25 A THIRD FLOOR.

1 Q AND WHERE WERE ALL THE RECORDS KEPT? DO YOU KNOW?

2 A NO.

3 Q OKAY. DID YOU HAVE ANYTHING TO DO WITH THE RECORDS WHEN
4 YOU WORKED AT CCG?

5 A NO. THE ONLY TIME I EVER HAD ACCESS WAS IF ONE OF THE
6 DEPOSITORS WAS DUE FOR A 30 DAY PAY-OUT, I WOULD -- THAT
7 INFORMATION WOULD BE BROUGHT DOWN TO ME AND I JUST, YOU KNOW,
8 I GET THE TELEPHONE NUMBER, THE NAME OF THE INDIVIDUAL, AND
9 THE TYPE OF ACCOUNT IT WAS, AND I WOULD CALL. SO I DIDN'T
10 REALLY HAVE ACCESS TO, YOU KNOW, ANY ACTUAL FILES.

11 Q OKAY. NOW, MS. SOMARA SAMUELS HAD ALREADY LEFT THE
12 OPERATION BY THE TIME YOU CAME; IS THAT CORRECT?

13 A YES.

14 Q ALL RIGHT. AND WHO WERE THE OTHER PEOPLE WHO WORKED ON
15 YOUR FLOOR? WHO WERE THE OTHER YOUNG LADIES WHO WORKED WITH
16 YOU?

17 A FIRST FLOOR THERE WAS DORIS. I CAN'T REMEMBER HER LAST
18 NAME.

19 Q WOULD THAT BE DORIS DRAKE?

20 A YES.

21 Q OKAY.

22 A JAQUITA MIDDLETON.

23 Q OKAY.

24 A THINK THAT WAS HER LAST NAME.

25 Q OKAY.

1 A KENDRA BEST.

2 Q OKAY. AND IS KENDRA, WAS SHE TONY POUGH'S SISTER IF YOU
3 KNOW?

4 A YES.

5 Q OKAY. NOW DID -- AND HOW LONG DID YOU WORK -- YOU SAID
6 YOU WORKED THERE FROM MARCH AND YOU LEFT WHEN?

7 A AUGUST AFTER THEY -- THE CONFERENCE.

8 Q OKAY. NOW, HOW MUCH WERE YOU PAID TO WORK THERE?

9 A I WAS PAID TWICE A MONTH -- YEAH, TWICE A MONTH, AND I
10 WAS PAID \$500 PER PAY PERIOD.

11 Q OKAY. AND HOW DID YOU RECEIVE THAT PAYMENT?

12 A IN CASH.

13 Q IN CASH?

14 A UH-HUH.

15 Q DID YOU--

16 A WELL, FOR THE FIRST COUPLE, BUT THEN THEY WOULD PAY
17 ME -- THEY PAID US IN CHECKS AFTER THAT.

18 Q SO THEY STARTED PAYING YOU IN CASH AND THEN SOME POINT
19 THEY BEGAN TO PAY YOU IN CHECKS.

20 A YEAH, UH-HUH.

21 Q DID ANYONE SAY ANYTHING TO YOU ABOUT WHETHER YOU WOULD
22 RECEIVE SOME SORT OF 1099 OR W-2 AT THE END OF THE YEAR?

23 A WHAT THEY SAID WAS THAT EACH INDIVIDUAL COULD FILL OUT A
24 1099 BUT THE -- THE ACTUAL COMPANY IS A -- WAS A MINISTRY.

25 Q OKAY. SO YOU WERE TOLD THAT DESPITE THE FACT THAT YOU

1 WERE WORKING AND EARNING A SALARY, THEY WEREN'T GOING TO GIVE
2 YOU ANY DOCUMENTS THAT REFLECTED WHAT THEY GAVE YOU?

3 A OTHER THAN THE ACTUAL CHECK.

4 Q OTHER THAN THE CHECKS. THEY TOLD YOU IT WAS YOUR
5 RESPONSIBILITY IF YOU CHOSE TO FILE SOMETHING.

6 A UH-HUH.

7 Q NOW, AT SOME POINT DID YOU GET CALLED UPON TO GO
8 PARTICIPATE IN A PROJECT IN ATLANTA?

9 A YES.

10 Q OKAY. DO YOU REMEMBER THAT PRETTY WELL?

11 A YES.

12 Q OKAY. AND THERE'S A REASON WHY YOU REMEMBER IT WELL; IS
13 THERE NOT?

14 A YES.

15 Q OKAY. TELL THE LADIES AND GENTLEMEN OF THE JURY ABOUT
16 IT. TELL US, TELL THEM WHAT YOU WERE GOING TO DO AND THEN
17 WHAT YOU ENDED UP DOING.

18 A WELL, I WAS ON MY WAY TO THE BEACH TO GO TO A CONCERT.

19 Q OKAY. AND WAS THIS A CONCERT THAT YOU PARTICULARLY
20 WANTED TO ATTEND?

21 A YES, IT WAS COMMON.

22 Q OKAY. AND IS THAT ONE OF YOUR FAVORITE ARTISTS?

23 A I HAVE NO IDEA WHAT HE SINGS, BUT HE'S VERY NICE TO LOOK
24 AT, SO YEAH.

25 Q AND DO YOU REMEMBER WHEN THAT CONCERT WAS?

1 A IT WAS THE END OF JULY OF THAT YEAR.

2 Q AND SO WERE YOU GOING WITH SOME FRIENDS TO THIS CONCERT?

3 A YES.

4 Q OKAY. AND TELL US WHAT HAPPENED.

5 A WELL, I RECEIVED A CALL AND I WAS TOLD THAT WE WERE --

6 THAT I WAS NEEDED TO HELP OUT.

7 Q WHO CALLED YOU?

8 A INITIALLY KENDRA CALLED. BUT I MET WITH THE MEN AND I

9 WAS TOLD--

10 Q AND SO WHEN YOU SAY YOU MET WITH THE MEN, WHO DID YOU

11 MEET WITH?

12 A THE THREE HEBREWS, TONY, TIM, AND -- WELL, I THINK IT

13 MIGHT HAVE JUST BEEN TONY AND TIM.

14 Q TONY AND TIM.

15 A UH-HUH.

16 Q AND WHERE DID YOU MEET WITH THEM?

17 A AT SANDHILL.

18 Q AT WHERE?

19 A AT SANDHILL MALL.

20 Q OKAY. DID SOMEONE TELL YOU THAT THEY NEEDED YOU TO MEET

21 WITH THEM AT THE SANDHILL MALL?

22 A I DON'T REMEMBER EXACTLY HOW, YOU KNOW, THAT, YOU KNOW,

23 IT BEGAN, BUT I RECEIVED A CALL AND I WAS TOLD TO, YOU KNOW,

24 MEET THEM THERE.

25 Q OKAY. AND SO DID YOU MEET THEM IN ANY PARTICULAR PLACE

1 AT THE MALL? I KNOW IT'S -- IT'S AN OUTDOOR MALL.

2 A AT ARIZONA'S, THEY -- THEY -- THAT WAS I THINK ONE OF
3 THE FAVORITE PLACES, SO...

4 Q THAT'S LIKE -- THAT'S A STEAKHOUSE; RIGHT?

5 A YEAH, UH-HUH.

6 Q ALL RIGHT. AND TELL US WHAT HAPPENED.

7 A WELL, THEY ASKED ME TO GO DOWN TO ATLANTA TO HELP OUT
8 THE YOUNG LADIES WHO WORK ON THE THIRD FLOOR. WHAT THEY WERE
9 DOING -- THIS WAS JUST BEFORE THEY -- WELL, RIGHT AS THEY
10 WERE FILING FOR BANKRUPTCY. AND WHAT THEY SAID WAS THAT THEY
11 NEEDED SOME EXTRA HANDS TO HELP, YOU KNOW, DECIDE WHO NEEDS
12 TO BE PAID, HOW MUCH THEY PAID INTO THE COMPANY AND SO THAT
13 THEY CAN, YOU KNOW, GET THE -- GET THE PEOPLE THEIR MONEY
14 BACK.

15 Q OKAY. DID THEY TELL YOU WHY THIS WOULD REQUIRE YOU
16 TRAVELING ALL THE WAY FROM COLUMBIA TO ATLANTA?

17 A NO.

18 Q DID THEY TELL YOU WHY YOU SIMPLY COULDN'T GO TO THE
19 OFFICES OF THE CAPITAL CONSORTIUM GROUP HERE IN COLUMBIA AND
20 DO IT THERE?

21 A WELL, I BELIEVE AT THAT TIME THE OFFICE MIGHT HAVE BEEN
22 CLOSED.

23 Q OKAY.

24 A I'M NOT -- I DON'T REMEMBER THE ACTUAL TIMEFRAME OF WHEN
25 THE OFFICE WAS CLOSED, BUT JUST, YOU KNOW, KIND OF THINKING

1 BACK, IT MIGHT HAVE BEEN CLOSED AT THAT TIME. I'M NOT SURE
2 WHY. BUT WE WERE TOLD, OR I WAS TOLD RATHER, THAT WE WERE
3 GOING TO GO DOWN AND HELP WITH THE -- THE ACCOUNTING.

4 Q AND WAS THIS IN THE EVENING, IN THE AFTERNOON? DO YOU
5 REMEMBER WHEN?

6 A IT WAS IN THE AFTERNOON, EARLY AFTERNOON.

7 Q OKAY. AND SO WHAT IF ANYTHING DID YOU DO, MS. BRACKETT?

8 A I WENT TO ATLANTA.

9 Q OKAY. HOW DID YOU GET TO ATLANTA?

10 A WE RENTED A CAR.

11 Q OKAY. AND WHO PAID FOR THE CAR RENTAL?

12 A THEY PAID FOR THE CAR RENTAL. IT WAS ON MY CREDIT CARD
13 BUT THEY PAID FOR THE CAR RENTAL.

14 Q SO YOU RENTED THE CAR ON YOUR CREDIT CARD.

15 A UH-HUH.

16 Q AND YOU WERE REIMBURSED FOR THAT; IS THAT RIGHT?

17 A NO, THEY GAVE ME THE MONEY AT THE TIME.

18 Q OKAY. SO THEY HANDED YOU THE MONEY AND THEN YOU CHARGED
19 IT ON YOUR CREDIT CARD.

20 A RIGHT BECAUSE, YOU KNOW, YOU NEED A CREDIT CARD IN ORDER
21 TO RENT A CAR, SO...

22 Q OKAY. WHY DID YOU RENT A CAR? WHY DIDN'T SOME -- WAS
23 THERE A REASON WHY YOU NEEDED TO RENT THE CAR?

24 A NO. I DIDN'T WANT TO PUT ANY MILES ON MY CAR.

25 Q OKAY. I UNDERSTAND THAT.

1 A NO REASON. THEY, YOU KNOW -- THEY JUST, YOU KNOW, GAVE
2 ME THE MONEY FOR IT AND I WENT AND RENTED IT.

3 Q OKAY. AND WHO WENT WITH YOU?

4 A IT WAS KENDRA -- THE THREE GIRLS, OTHER GIRLS WHO WORKED
5 WITH ME.

6 Q THAT WOULD HAVE BEEN KENDRA, DORIS AND WHO ELSE?

7 A AND JAQUITA.

8 Q OKAY. ALL RIGHT. AND WHERE DID Y'ALL GO IN ATLANTA?

9 A TO A HOTEL.

10 Q OKAY. NOW, DID YOU FIND IT ODD THAT YOU WERE GOING TO A
11 HOTEL TO DO SOMETHING WITH THEIR DOCUMENTS?

12 A WELL, WHEN WE GOT THERE WE DIDN'T KNOW THAT -- THAT
13 THAT'S WHERE THEY WERE SETTING UP SHOP UNTIL WE ACTUALLY GOT
14 THERE.

15 Q AND SO HOW DID YOU FIND OUT WHERE TO GO?

16 A THEY -- WHEN WE GOT TO ATLANTA, WE -- I DON'T REALLY
17 REMEMBER, BUT WHEN WE GOT TO -- WHEN WE GOT TO ATLANTA, WE
18 RECEIVED A CALL OR WE -- FROM ONE OF THE PEOPLE WHO WAS THERE
19 TO GIVE US DIRECTIONS TO THE PLACE.

20 Q OKAY. AND WHERE DID YOU GO?

21 A TO A HOTEL. I DON'T REMEMBER WHICH ONE.

22 Q OKAY. ALL RIGHT. AND WHAT DID YOU DO THERE?

23 A WE TOOK THE FILES THAT WE HAD. WE LOOKED UP ALL OF THE
24 NAMES OF THE PEOPLE WHO WERE OWED MONEY, WHO THEY WERE, THEIR
25 ADDRESS, WHAT TYPE OF PROGRAM THEY WERE IN, AND HOW MUCH

1 MONEY THEY WERE OWED.

2 Q OKAY. AND WERE YOU MAKING SOMETHING -- WHO WAS
3 SUPERVISING THIS PROJECT IF YOU RECALL?

4 A I'M NOT SURE. IT WAS -- IT WAS EITHER SHEILA OR
5 JASSMINE. THERE WAS -- FROM WHAT I CAN REMEMBER THERE WAS
6 SOME TYPE OF -- HOW SHOULD I PUT THIS -- DISAGREEMENT AS TO
7 WHO WAS ACTUALLY IN CHARGE, SO I DON'T KNOW WHO WAS IN
8 CHARGE.

9 Q OKAY. DID YOU UNDERSTAND THAT SHEILA WAS A FRIEND OF
10 LISA MCQUEEN'S OR A FRIEND OF LISA'S SISTER?

11 A YES.

12 Q OKAY. AND JASSMINE WAS RELATED TO THE MCQUEENS HOW? DO
13 YOU KNOW?

14 A JASSMINE IS LISA'S DAUGHTER.

15 Q OKAY. ALL RIGHT. WAS LISA MCQUEEN THERE?

16 A NO.

17 Q WERE ANY OF THE THREE HEBREW BOYS THERE?

18 A NO.

19 Q DO YOU KNOW A MAN NAMED ERNEST HESTER?

20 A YES.

21 Q OKAY. WAS MR. HESTER THERE IF YOU RECALL?

22 A YES.

23 Q OKAY. AND DO YOU KNOW IF MR. HESTER IS ALSO RELATED TO
24 MR. POUGH?

25 A I BELIEVE SO.

1 Q AND WHAT WAS MR. HESTER DOING IF YOU RECALL?

2 A THE SAME THING WE WERE DOING, CHECKING OUT THE NAMES,
3 HOW MUCH THEY WERE OWED.

4 Q OKAY. AND WERE YOU WRITING THIS ON SOME SORT OF PIECE
5 OF PAPER OR WHAT?

6 A UH-HUH, YES. WE HAD LIKE A LOG.

7 Q OKAY. WHAT TIME DID YOU GET TO ATLANTA?

8 A IT WAS REALLY LATE. IT'S BY THE TIME, YOU KNOW, WE GOT
9 EVERYTHING TOGETHER TO ACTUALLY GO, IT WAS, YOU KNOW, IT WAS
10 IN THE AFTERNOON, SO WE DIDN'T REALLY GET THERE, YOU KNOW,
11 UNTIL PROBABLY -- IT WAS JUST BEFORE DARK, SO YOU KNOW,
12 SUMMERTIME, SO PROBABLY ABOUT 9:00.

13 Q OKAY. ALL RIGHT. AND HOW LONG DID YOU WORK THAT
14 EVENING?

15 A WELL, WE GOT THERE AND THEN WE WENT TO GRAB SOMETHING TO
16 EAT. AND WHEN WE CAME BACK IT WAS PROBABLY ABOUT 11, SO WE
17 ONLY WORKED A COUPLE OF HOURS. PROBABLY, YOU KNOW, FROM 11
18 UNTIL I DON'T KNOW, 1:30 OR SO.

19 Q OKAY. AND WERE YOU DOING THIS IN A CONFERENCE ROOM THAT
20 WAS RENTED OR WHERE WERE YOU DOING THIS?

21 A NO, IT WAS IN A ROOM, HOTEL ROOM.

22 Q AND HOW MANY HOTEL ROOMS WERE RENTED FOR THIS PROJECT IF
23 YOU KNOW?

24 A I DON'T KNOW. I KNOW WE HAD ONE, THE GIRLS WHO
25 STAYED -- WHO WORK IN -- WORKED ON THE FIRST FLOOR HAD A

1 ROOM. THE YOUNG LADIES FROM THIRD FLOOR HAD A ROOM. AND

2 ROGER HAD A ROOM.

3 Q WHO HAD A ROOM?

4 A ROGER.

5 Q WHO IS ROGER?

6 A TOMAS.

7 Q IS THAT -- DOES HE ALSO GO BY THE NAME TOMAS AL?

8 A UH-HUH.

9 Q AND WHAT DID HE DO FOR THE THREE HEBREW BOYS IF YOU
10 RECALL?

11 A I THINK IT WAS JUST MAINTENANCE.

12 Q OKAY. DID YOU ACTUALLY SPEND THE NIGHT IN THE ROOM THAT
13 YOU DID THIS WORK IN?

14 A NO.

15 Q OKAY. WHERE DID YOU SPEND THE NIGHT?

16 A IN ANOTHER ROOM.

17 Q OKAY. AND DID YOU HAVE TO RENT THAT ROOM OR DID SOMEONE
18 PAY FOR THAT ROOM TO BE RENTED?

19 A NO, IT WAS ALREADY AVAILABLE FOR US.

20 Q NOW, WERE YOU AWARE THAT MR. BRUNSON, MR. POUGH AND MR.
21 MCQUEEN OWNED SOME CONDOS IN BUCKHEAD?

22 A I WAS NOT.

23 Q OKAY. AND YOU DID NOT DO THIS AT A CONDO IN BUCKHEAD?

24 A NO.

25 Q DO YOU KNOW HOW THE RECORD -- WERE THE RECORDS, THREE

1 HEBREW BOYS RECORDS AND CAPITAL CONSORTIUM GROUP RECORDS?

2 A YES, THEY WERE.

3 Q AND HOW -- WERE THEY IN BOXES IN A PARTICULAR PLACE?

4 HOW DID YOU KNOW WHAT TO TAKE WHERE? DO YOU REMEMBER THAT?

5 A THEY WERE -- THEY WERE IN BOXES.

6 Q OKAY. AND WHO GAVE YOU INSTRUCTIONS ABOUT WHAT YOU WERE

7 SUPPOSED TO DO?

8 A SHEILA DID.

9 Q OKAY. AND DO YOU KNOW HOW PHYSICALLY THOSE BOXES GOT

10 FROM COLUMBIA TO ATLANTA?

11 A HAVE NO IDEA.

12 Q AND DO YOU KNOW WHAT HAPPENED TO THOSE BOXES OF RECORDS

13 AFTER YOU LEFT ATLANTA?

14 A I DO NOT.

15 Q DID YOU WORK ON THIS PROJECT THE NEXT DAY?

16 A NO. THE YOUNG LADIES WHO CAME WITH ME, WE LEFT EARLY.

17 THREE -- THERE WERE THREE OF US WHO HAVE CHILDREN, SO WE HAD

18 TO GET BACK IN TIME TO, YOU KNOW, DO THAT.

19 Q OKAY. I TAKE IT YOU HAD TO LEAVE YOUR CHILD WITH

20 SOMEONE ELSE?

21 A YES.

22 Q ALL RIGHT. NOW, DID YOU INVEST IN ANY OF THEIR

23 PROGRAMS, MS. BRACKETT?

24 A NO, I DID NOT.

25 Q OKAY. DID YOUR PARENTS INVEST IN ANY OF THEIR PROGRAMS?

1 A NO.

2 Q OKAY. IS THERE A REASON WHY? DID YOU TALK TO YOUR
3 PARENTS ABOUT THEIR PROGRAMS?

4 A BRIEFLY. I DIDN'T REALLY GO INTO MUCH DETAIL ABOUT IT.

5 Q OKAY. WAS YOUR MOTHER AT ALL INTERESTED?

6 A NOT REALLY. MY MOTHER USED TO WORK IN INVESTMENTS AND
7 SHE'S VERY CONSERVATIVE, SO SHE DID, YOU KNOW, SHE'S NOT
8 REALLY -- KIND OF HAVE TO HAVE A LONG -- YOU HAVE TO HAVE
9 LONGEVITY IN ORDER FOR HER TO ACTUALLY WANT TO INVEST IN YOUR
10 PRODUCT.

11 Q OKAY. BEG A MOMENT, MS. BRACKETT. THANK YOU,
12 MS. BRACKETT. PLEASE ANSWER ANY QUESTIONS DEFENSE COUNSEL
13 MAY HAVE.

14 CROSS-EXAMINATION

15 BY MR. LANG:

16 Q MS. BRACKETT, GOOD AFTERNOON OR GOOD MORNING I GUESS.
17 MY NAME IS LOUIS LANG. I REPRESENT TIM MCQUEEN. LET ME ASK
18 YOU SOME QUESTIONS. AND I SUPPOSE LET ME START WHERE
19 GOVERNMENT COUNSEL LEFT OFF. YOU DIDN'T INVEST IN ANY OF THE
20 PROGRAMS OF CCG; IS THAT CORRECT?

21 A THAT'S CORRECT.

22 Q AND I THINK YOU TESTIFIED THAT YOU DISCUSSED SOME OF
23 THESE PROGRAMS BRIEFLY WITH YOUR MOTHER?

24 A UH-HUH.

25 Q AND YOU DESCRIBED YOUR MOTHER AS VERY CONSERVATIVE; IS

1 THAT CORRECT?

2 A YES.

3 Q AND SO SHE WASN'T INTERESTED IN THE PROGRAMS AS YOU
4 DESCRIBED THEM TO HER; CORRECT?

5 A CORRECT.

6 Q AND I TAKE IT AT SOME POINT IN TIME YOU ATTENDED A
7 PRESENTATION BY THE THREE HEBREW BOYS --

8 A YES.

9 Q -- OR CCG? AND WAS THAT AROUND APRIL OR MARCH OF 2007?

10 A YES.

11 Q AND WAS THAT IN FAYETTEVILLE, NORTH CAROLINA?

12 A YES.

13 Q AND WERE -- WAS TIM MCQUEEN THERE OR TONY POUGH THERE OR
14 ANY ONE OF THOSE FOLKS THERE?

15 A YES.

16 Q AND DID THEY DESCRIBE TO YOU GENERALLY WHAT THE PROGRAMS
17 WERE ABOUT AND SPECIFIC -- WELL, DID THEY DESCRIBE TO YOU
18 GENERALLY ABOUT WHAT THE PROGRAMS WERE?

19 A YES.

20 Q AND DID THEY DESCRIBE TO YOU ABOUT THE -- SOME OF THE
21 PROGRAMS, MANY OF THEM HAD TO DO WITH DEBT RELIEF; IS THAT
22 CORRECT?

23 A YES.

24 Q AND THERE WAS ONE LONG-TERM PROGRAM THAT PAID RESIDUALS
25 TO PEOPLE OVER THEIR LIFETIME; CORRECT?

1 A YES.

2 Q AND DID THEY DESCRIBE TO YOU HOW THEY INVESTED THE FUNDS
3 THAT WERE GOING TO BE DEPOSITED?

4 A YES.

5 Q ALL RIGHT. AND DID THEY TELL YOU THAT SOME OF THOSE
6 FUNDS WERE GOING INTO THE -- I GUESS THE FOREIGN EXCHANGE
7 MARKET?

8 A THAT'S CORRECT.

9 Q AND DID THEY ALSO TELL YOU THAT THEY HAD OTHER
10 BUSINESSES OR ENTERPRISES IN WHICH THEY INVESTED THESE FUNDS?

11 A YES.

12 Q AND DID SOME OF THOSE OR ONE OF THOSE OTHER ENTERPRISES
13 INVOLVE DANIEL DEVELOPMENT GROUP?

14 A YES.

15 Q AND DID THEY DESCRIBE TO YOU THAT DANIEL DEVELOPMENT
16 GROUP WAS IN THE BUSINESS OF DEVELOPING REAL ESTATE?

17 A YES.

18 Q SO THAT WAS ONE OF THE OTHER ENTERPRISES THAT THEY
19 TALKED ABOUT AT THIS PRESENTATION; IS THAT CORRECT?

20 A YES.

21 Q AND WAS TIM MCQUEEN THERE?

22 A YES.

23 Q AND WAS TONY POUGH THERE?

24 A YES.

25 Q AND WHO TALKED ABOUT -- EITHER OF THEM IF YOU RECALL --

1 THE OTHER ENTERPRISES THAT THEY ENGAGED IN, AND BY THAT I
2 MEAN THE THREE HEBREW BOYS AND CCG, BOTH OF THEM OR ONE OR
3 THE OTHER?

4 A BOTH OF THEM.

5 Q OKAY. AND I THINK THERE WERE A NUMBER OF PEOPLE AT THIS
6 PRESENTATION; CORRECT?

7 A YES.

8 Q I MEAN A LOT OF PEOPLE; CORRECT?

9 A YES.

10 Q AND IN FACT, THERE WAS AN OVERFLOW OF CROWD AT THIS
11 PRESENTATION; CORRECT?

12 A YES.

13 Q AND IN FACT, THERE WERE SO MANY PEOPLE, THEY COULDN'T
14 FIT THEM IN THE DOORS; IS THAT RIGHT?

15 A YES.

16 Q AND WHY DID YOU GO TO THESE PRESENTATIONS?

17 A WELL, AT THAT TIME I HAD ONLY BEEN WITH THE COMPANY FOR
18 A SHORT PERIOD OF TIME. AND I HAD NEVER BEEN TO A
19 PRESENTATION AND I WANTED TO -- TO, YOU KNOW, TO GO AND ALSO
20 IT WAS ALL OF THE OTHER EMPLOYEES WERE ASKED TO GO AS WELL,
21 SO...

22 Q AND I TAKE IT ULTIMATELY YOU DECIDED NOT TO DEPOSIT ANY
23 FUNDS IN THESE PROGRAM; CORRECT?

24 A WELL, I DIDN'T HAVE FUNDS TO DEPOSIT.

25 Q ALL RIGHT. ALL RIGHT. LET ME ASK YOU A FEW QUESTIONS

1 ABOUT THE TRIP TO ATLANTA. GOVERNMENT COUNSEL SPENT A LOT OF
2 TIME DOING THAT. YOU MET WITH I THINK YOU DESCRIBED TIM AND
3 TONY AT ARIZONA'S?

4 A YES.

5 Q AND THEY ASKED YOU TO GO TO ATLANTA; CORRECT?

6 A UH-HUH.

7 Q AND THE PURPOSE OF GOING TO ATLANTA WAS JUST BEFORE THE
8 BANKRUPTCY FILING FOR CCG; IS THAT RIGHT?

9 A YES.

10 Q AND I THINK YOU SAID THAT THEY WANTED YOU TO ASSIST IN
11 IDENTIFYING THE PEOPLE TO WHOM THEY OWED MONEY; CORRECT?

12 A YES.

13 Q SO THEY COULD PAY THAT MONEY BACK; CORRECT?

14 A YES.

15 Q AND WHO SAID THAT, WAS IT TIM OR TONY OR BOTH OF THEM?

16 A I DON'T REMEMBER.

17 Q OKAY. BUT THAT WAS THE DISCUSSION ABOUT THE PURPOSE OF
18 GOING TO ATLANTA; CORRECT?

19 A YES.

20 Q NOW, LET ME TALK A LITTLE BIT ABOUT -- AND IN ATLANTA --
21 I MEAN, WHEN YOU WORKED THAT LATE NIGHT AND EARLY MORNING,
22 YOU WERE PICKING OUT NAMES OF DEPOSITORS IN THE PROGRAM;
23 CORRECT?

24 A CORRECT.

25 Q AND MATCHING UP THOSE NAMES WITH AMOUNTS DEPOSITED;

1 CORRECT?

2 A YES.

3 Q AND FOR YOUR UNDERSTANDING ALL FOR THE PURPOSE OF
4 IDENTIFYING THOSE PEOPLE TO GET THEM THEIR DEPOSITED MONEY
5 BACK; CORRECT?

6 A CORRECT.

7 Q ALL RIGHT. NOW, THE HORSESHOE DRIVE OFFICE WAS THE
8 THREE STORY OFFICE?

9 A YES.

10 Q AND I TAKE IT THE SECOND STORY HAD PEOPLE WHO WERE NOT
11 ASSOCIATED WITH CCG OR WEREN'T CCG EMPLOYEES OR COMPANIES BUT
12 THEY WERE OTHER COMPANIES AND OTHER FOLKS?

13 A FROM WHAT I UNDERSTAND, THE REAL ESTATE INDIVIDUALS WERE
14 NOT A PART OF CCG.

15 Q OKAY.

16 A I DON'T KNOW IF THERE IS ANYONE ELSE WHO WAS THERE WHO
17 WASN'T A PART, BUT I -- I DO REMEMBER DISCUSSING THAT THEY
18 WERE JUST, YOU KNOW, IN THE BUILDING BUT THEY WEREN'T REALLY
19 A PART OF CCG.

20 Q ALL RIGHT. AND SO AT LEAST THE -- I THINK YOU DESCRIBED
21 THEM AS THE MORTGAGE -- I'M SORRY -- REAL ESTATE MORTGAGE
22 PERSON OR PERSONS?

23 A YES.

24 Q THAT WAS ONE ENTITY I TAKE IT OR ONE OFFICE?

25 A THEY HAD TWO SEPARATE OFFICES.

1 Q OKAY.

2 A I THINK.

3 Q ALL RIGHT.

4 A YEAH.

5 Q WERE YOU UNDERSTANDING THAT BOTH OF THEM WERE NOT
6 ASSOCIATED WITH CCG?

7 A THAT'S CORRECT.

8 Q AND YOU ALSO DESCRIBED A GENTLEMAN NAMED RODDY EDGISTER
9 WHO HAD AN OFFICE ON THE FIRST FLOOR?

10 A YES.

11 Q AND CORRECT ME IF I'M WRONG, BUT DIDN'T HE HAVE HIS OWN
12 CONSTRUCTION COMPANY OR DID YOU KNOW THAT?

13 A I KNOW THAT HE WAS IN CONSTRUCTION IN NORTH CAROLINA.
14 BUT I DON'T REALLY -- I CAN'T REALLY REMEMBER WHETHER OR NOT,
15 YOU KNOW, WHAT HIS ROLE WAS OTHER THAN MAINTAINING THE
16 OFFICE.

17 Q AND YOU MENTIONED THAT YOU MET THE GENTLEMAN NAMED
18 SAKIMA BEY?

19 A YES.

20 Q AND I -- FROM YOUR DIRECT TESTIMONY I TAKE IT THAT IT
21 WAS NEVER REPRESENTED TO YOU THAT HE WAS A LICENSED ATTORNEY;
22 IS THAT RIGHT?

23 A I DON'T REMEMBER WHETHER OR NOT HE WAS REPRESENTED AS A
24 LICENSED ATTORNEY.

25 Q HE MAY BE OR MAY BE NOT. YOU JUST DON'T RECALL?

1 A I DO NOT RECALL.

2 Q BUT YOU DON'T RECALL HIM MEETING WITH TIM OR TONY ON A
3 REGULAR BASIS; IS THAT CORRECT?

4 A NOT REGULAR. HE DID MEET WITH THEM, BUT I DON'T
5 REMEMBER -- I DON'T THINK IT WAS ON A REGULAR BASIS.

6 Q OKAY.

7 A IF SO, IT WASN'T IN THE OFFICE.

8 Q ALL RIGHT. HOW MANY PEOPLE WORKED ON THE FIRST FLOOR
9 FOR CCG?

10 A NOT INCLUDING THE...

11 Q NOT INCLUDING TIM, TONY, AND JOE.

12 A FIRST FLOOR -- DO YOU WANT THE WHOLE BUSINESS OR JUST...

13 Q JUST THE FOLKS. JUST GIVE ME AN IDEA OF HOW MANY PEOPLE
14 WORKED THERE FOR CCG OTHER THAN TIM, TONY, AND JOE.

15 A THERE WERE THE FOUR OF US DOWNSTAIRS PLUS SAKIMA, SO
16 THAT'S FIVE. NINE INCLUDING FOUR ON THE FIRST -- ON THE
17 SECOND FLOOR, AND I DON'T -- I DON'T RECALL HOW MANY PEOPLE
18 WERE ON THE THIRD FLOOR, BUT LET'S SEE. PROBABLY ABOUT 15.

19 Q SO ABOUT -- INCLUDING YOURSELF.

20 A UH-HUH.

21 Q AND NOT INCLUDING TIM, TONY, AND JOE THERE WERE ABOUT 15
22 PEOPLE ALTOLD THAT YOU KNOW THAT WORKED FOR CCG.

23 A YES.

24 Q AND THAT WAS DURING THE PERIOD OF TIME THAT YOU WORKED
25 FOR CCG?

1 A YES.

2 Q ALL RIGHT. AND I TAKE IT -- AND YOU WERE VERY KIND HOW
3 YOU PUT THIS. THE FOLKS ON THE FIRST FLOOR DIDN'T MUCH GET
4 ALONG WITH THE PEOPLE ON THE THIRD FLOOR; IS THAT --

5 A THAT'S CORRECT.

6 Q -- BASICALLY. AND THAT'S WHY Y'ALL DIDN'T GO UP TO THE
7 THIRD FLOOR VERY OFTEN.

8 A YES.

9 MR. LANG: BEGGING THE COURT'S INDULGENCE FOR A
10 MOMENT. THANK YOU. I HAVE NO FURTHER QUESTIONS.

11 MR. DUNCAN: I DON'T HAVE ANY QUESTIONS.

12 MR. SMALL: NO QUESTIONS.

13 THE COURT: ANY REDIRECT?

14 MR. MOORE: BRIEFLY, YOUR HONOR.

15 REDIRECT EXAMINATION

16 BY MR. MOORE:

17 Q MS. BRACKETT.

18 A YES.

19 Q YOU SAID THAT THIS SEMINAR THAT YOU ATTENDED IN
20 FAYETTEVILLE WAS IN WHEN, HOW -- WAS IT IN APRIL OR MAY?

21 A IT WAS IN -- IT WAS IN APRIL OR MAY. I'M NOT SURE WHEN.

22 Q OKAY. AND DO YOU KNOW IF THAT WAS SHORTLY BEFORE THEY
23 WERE ISSUED A CEASE AND DESIST ORDER?

24 A YES, IT WAS.

25 Q NOW, YOU HAD NOT BEEN TO THEIR OTHER PRESENTATIONS

1 PRIOR.

2 A NO.

3 Q AND YOU CAN'T TELL US WHAT WAS REPRESENTED TO THOSE
4 PEOPLE WHO ATTENDED THOSE PRESENTATIONS?

5 A NO, I CANNOT.

6 Q YOU SAID THAT TIM AND TONY BOTH SPOKE.

7 A YES.

8 Q OKAY. AND WAS THIS -- DID THEY USE A POWERPOINT
9 PRESENTATION IF YOU RECALL?

10 A YES.

11 Q OKAY. AND I HATE TO DO THIS TO THE JURY. BUT IF YOU
12 COULD PULL UP GOVERNMENT'S EXHIBIT 36. IF WE COULD GO TO THE
13 NEXT SLIDE. IS THIS THE POWERPOINT PRESENTATION?

14 A YES.

15 Q OKAY. AND DID YOU RECALL SEEING ANYTHING IN THE
16 POWERPOINT PRESENTATION ABOUT THESE OTHER BUSINESSES LIKE THE
17 DOLLAR EMPORIUM AND THINGS OF THAT NATURE?

18 A THERE'S A SLIDE IT MIGHT BE MIDWAY. IT DOESN'T ACTUALLY
19 SAY, YOU KNOW, EXACTLY WHAT THE INVESTMENTS ARE, BUT THERE IS
20 A SLIDE THAT I BELIEVE -- IF I RECALL CORRECTLY.

21 Q OKAY. WELL, WE'RE JUST GOING TO SCROLL THROUGH THEM;
22 OKAY?

23 A OKAY.

24 Q OKAY. YOU RECALL THIS?

25 A UH-HUH.

1 Q OKAY. AND WHEN YOU SEE THAT SLIDE, STOP US; OKAY?

2 A OKAY. GO BACK.

3 Q GO BACK. GO BACK.

4 A OKAY. NO, THAT'S NOT IT.

5 MR. MOORE: DO IT A LITTLE SLOWER, MRS. WOODS,

6 OKAY?

7 BY MR. MOORE:

8 Q DO YOU SEE THE REPRESENTATION THAT THEY WEREN'T A PONZI

9 GROUP? DO YOU REMEMBER THAT?

10 A YES, I DO.

11 Q OKAY. DID YOU KNOW WHAT A PONZI GROUP WAS?

12 A I DID NOT.

13 Q OKAY. NOW YOU SEE THIS. IT SAYS, OFFER BY THE WORLD.

14 THEN IT TALKS ABOUT INTEREST RATES THAT VARIOUS FINANCIAL

15 INSTITUTIONS CAN OFFER. YOU REMEMBER THAT; RIGHT?

16 A YES.

17 Q DO YOU RECALL THIS, THAT CCG OFFERS RESIDUALS FOR LIFE,

18 EDUCATION ON THE FOREX MARKET, HIGH MONTHLY RETURNS, FUNDS

19 MANAGED BY EXPERIENCED TRADERS, AND CONSISTENT AND SOLID

20 RETURNS.

21 A YES.

22 Q OKAY. NOW, THE ONLY MARKET THAT'S REFERENCED HERE IS

23 THE FOREX MARKET; IS THAT RIGHT?

24 A RIGHT, AND THIS IS -- YEAH.

25 Q OKAY. AND WAS THE FOREX MARKET THE LARGEST PART OF

1 THEIR PRESENTATION ABOUT HOW THEY MADE MONEY WHEN YOU
2 ATTENDED THAT GATHERING?

3 A WHAT THEY SAID WAS THAT THEY -- THEY INVESTED IN THE
4 FOREX AND THEY GAVE A BRIEF DESCRIPTION, AND THEN THEY --
5 THEY DID GO IN TO SAY THAT THEY HAD OTHER INVESTMENTS THAT
6 THEY -- THEY PUT THE MONEY INTO.

7 Q OKAY. ALL RIGHT. AND SO THIS AGAIN, THOUGH, WAS IN
8 APRIL OF 2007.

9 A YES.

10 Q OKAY. ALL RIGHT. LET'S KEEP GOING. YOU SEE THIS FACT
11 THAT SAYS, FACTS ABOUT THE FOREX MARKET. DO YOU RECALL THIS?

12 A YES.

13 Q AND SAYING THAT THE STOCK -- THE US STOCK MARKET TRADES
14 10 BILLION IN ONE DAY AND THE FOREX MARKET TRADES UP TO
15 2 TRILLION IN ONE DAY. DO YOU RECALL THAT?

16 A UH-HUH. YES.

17 Q AND DID THEY STATE THAT THEY COULD MAKE A LOT OF MONEY
18 IN THE FOREX MARKET AND DO FOR COMMON PEOPLE WHAT THEY ALLEGE
19 BANKS WERE DOING FOR THEMSELVES? DO YOU RECALL THAT?

20 A YES.

21 Q OKAY. DO YOU SEE THE -- DO YOU RECALL THIS
22 REPRESENTATION OF THE FACT THAT THEY TRADE IN ALL THESE
23 CURRENCIES?

24 A YES.

25 Q OKAY. NOW WHEN WE GET TO THAT SLIDE YOU'RE TALKING

1 ABOUT, IF YOU SEE IT, STOP ME, OKAY.

2 A I BELIEVE THE SLIDE THAT I WAS THINKING OF WAS THE ONE
3 WITH THE FOREX. THAT WAS -- SO IF YOU WERE -- IF YOU GO
4 BACK.

5 Q GO BACK. THAT ONE?

6 A NO. THE ONE THAT HAS THE...

7 Q THAT?

8 A YES.

9 Q WHICH SAYS WHAT THEY OFFER.

10 A YES.

11 Q NOW, DID YOU EVER MEET AN EXPERIENCED FOREX TRADER
12 DURING THE TIME YOU WORKED FOR THEM?

13 A NO.

14 Q OKAY. SO YOU -- THIS IS A SLIDE THAT YOU WERE REFERRING
15 TO?

16 A YES.

17 Q DO YOU RECALL SEEING THE OTHER SLIDES STATING THAT THEY
18 PROMISED A HUNDRED PERCENT PAY-OFF GUARANTEE? DO YOU RECALL
19 THAT?

20 A NOT RIGHT OFF-HAND, BUT IF YOU WERE TO...

21 Q OKAY. IF WE COULD GO TO THE QUESTION AND ANSWER
22 SESSION, MRS. WOODS. DO YOU RECALL THAT THEY GAVE A PITCH
23 ABOUT THE VARIOUS PROGRAMS THAT THEY OFFERED?

24 A YES.

25 Q OKAY. DO YOU RECALL THIS SLIDE, MORTGAGE SATISFACTION,

1 NON-CONFRONTATIONAL, NO PRESENTMENTS TO YOUR LENDERS FOR
2 SATISFYING THE LOAN AT THE END OF THE TERM AND A HUNDRED
3 PERCENT PAY-OFF GUARANTEE?

4 A YES.

5 Q OKAY. NOW, YOU DON'T KNOW IF ANY OF THESE OTHER
6 BUSINESSES THAT THEY TALKED ABOUT IN APRIL WERE ACTUALLY
7 MAKING ANY MONEY AT THAT POINT; DO YOU?

8 A NOT PERSONALLY, NO.

9 Q OKAY. AND DO YOU RECALL SIMILAR STATEMENTS ABOUT THE
10 PAY-OFF GUARANTEE FOR OTHERS? DOES THAT HELP REFRESH YOUR
11 RECOLLECTION, MS. BRACKETT?

12 A YES.

13 Q OKAY. ALL RIGHT. AND WHAT TYPE OF PRESENTATION WAS
14 THIS IN FAYETTEVILLE? WAS IT A -- WAS IT A BANQUET? DID
15 THEY RECOGNIZE PEOPLE WHO HAD RECEIVED LARGE PAY-OUTS OR
16 THINGS OF THAT NATURE? WAS THAT DISCUSSED AT ALL?

17 A A BANQUET?

18 Q WELL, WAS IT A BANQUET? DID THEY HAVE A BANQUET?

19 A NO, IT WAS MORE OF A SEMINAR.

20 Q OKAY. DID SOME IRS PRESENT AT THE SEMINAR?

21 A WELL, RIGHT OFF-HAND I -- I DON'T REMEMBER THAT.

22 Q OKAY. DID YOU KNOW THAT THERE WERE IRS?

23 A YES.

24 Q OKAY. DID YOU MEET SOME OF THE IRS?

25 A YES.

1 Q OKAY. AND DID YOU KNOW THAT THE IRS WERE THEMSELVES
2 MAKING SOME MONEY IF THEY BROUGHT PEOPLE INTO THE PROGRAM?

3 A YES.

4 Q OKAY. DID YOU -- DO YOU KNOW IF ANY OF THE IRS GOT
5 1099S OR ANYTHING OF THAT NATURE --

6 A I DO NOT.

7 Q -- REFLECTING THEIR PARTICIPATION?

8 A NO.

9 MR. MOORE: BEG A MOMENT, YOUR HONOR. AGAIN THANK
10 YOU VERY MUCH FOR YOUR TIME.

11 THE COURT: ANYTHING ELSE?

12 MR. DUNCAN: ONE MOMENT, YOUR HONOR.

13 MR. LANG: BEGGING THE COURT'S INDULGENCE. IF I
14 COULD, YOUR HONOR. JUST VERY BRIEFLY.

15 RECROSS-EXAMINATION

16 BY MR. LANG:

17 Q MS. BRACKETT, YOU WERE ASKED BY GOVERNMENT COUNSEL ABOUT
18 THAT ONE SLIDE AND THE -- THEY BEING TIM OR TONY UTILIZED
19 THAT SLIDE TO TALK ABOUT THEIR OTHER INVESTMENTS OR
20 PROGRAMS --

21 A YEAH.

22 Q -- THAT THEY PUT DEPOSITORS' MONEY IN? DO YOU REMEMBER
23 WHAT THOSE OTHER PROGRAMS WERE, OTHER INVESTMENTS WERE OTHER
24 THAN THE CONSTRUCTION THAT WE HAVE TALKED ABOUT JUST BRIEFLY?

25 A THEY OWNED A TRUCKING COMPANY. THEY ALSO OWNED A

1 TRANSPORTATION COMPANY WHERE THEY HAD LIMOUSINES AND
2 DIFFERENT THINGS LIKE THAT FOR TRANSPORTATION FOR RENT.

3 Q ALL RIGHT.

4 A THEY -- I DON'T KNOW IF THEY ACTUALLY OWNED IT, BUT AT
5 ONE TIME I THINK THEY WERE -- I BELIEVE I HEARD SOMETHING
6 ABOUT OWNING A MORTGAGE COMPANY.

7 Q I'M JUST TALKING ABOUT THE PRESENTATION.

8 A DURING THE PRESENTATION.

9 Q YES, MA'AM.

10 A OH, OKAY. I'M SORRY. DURING THE PRESENTATION THEY DID
11 TALK ABOUT THE TRUCKING COMPANY, AND THEY -- THEY SAID THAT
12 THERE WERE OTHER INVESTMENTS, OTHER THINGS THAT THEY OWNED,
13 BUT I DON'T REMEMBER THE ACTUAL LIST OR IF THEY ACTUALLY, YOU
14 KNOW, STATED ANYTHING ELSE.

15 Q THEY COULD HAVE, BUT IT WAS A LONG TIME AGO, YOU DON'T
16 REMEMBER.

17 A RIGHT.

18 Q OKAY.

19 MR. LANG: NO FURTHER QUESTIONS, YOUR HONOR.

20 THE COURT: ANYTHING ELSE?

21 MR. MOORE: NO, MA'AM.

22 THE COURT: ALL RIGHT. THANK YOU. YOU CAN STEP
23 DOWN AND YOU'RE EXCUSED.

24 THE WITNESS: THANK YOU, YOUR HONOR.

25 (WITNESS LEFT THE STAND.)

1 (END OF REQUESTED TRANSCRIPT OF RECORD.)

2 ***

3 I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT
4 FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

5

6 S/KATHLEEN RICHARDSON

7 _____ DECEMBER 22, 2009
8 KATHLEEN RICHARDSON, RPR, CRR

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